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HOUSE BILL 1293

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Ernest H. Chavez

AN ACT

RELATING TO MOTOR VEHICLES; CLARIFYING THE ISSUANCE AND USE OF
DISABLED PERSONS REGISTRATION PLATES AND PARKING PLACARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-16 NMSA 1978 (being Laws 1978,
Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. SPECIAL REGISTRATION PLATES--DISABLED
PERSONS--PARKING PLACARD.--

A. ~~[The division shall issue distinctive
registration plates to any disabled person who so requests and]~~
A disabled person may make a written application to the
division for and be issued a distinctive disabled person
registration plate or disabled person parking placard for use
in designated disabled parking spaces. For the purposes of
this section, "disabled person" means:

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1 (1) a person who has a permanent severe
2 mobility impairment as defined in Subsection H of this section
3 as attested to by a licensed physician; or

4 (2) a person who proves satisfactorily to the
5 division that [~~he~~] the person has suffered the loss, or the
6 complete and total loss of use of, one or both legs at or above
7 the ankle or of one or both arms at or above the wrist for use
8 on motor vehicles owned by the person.

9 B. No fee in addition to the regular registration
10 fee, if any, applicable to the motor vehicle shall be collected
11 for issuance of [~~special~~] distinctive registration plates or
12 placards pursuant to this section.

13 [~~B.~~] C. No person shall falsely [~~represent himself~~]
14 claim to be disabled so as to be eligible to be issued a
15 special registration plate or a parking placard pursuant to
16 this section when [~~he~~] the person is in fact not disabled.
17 Upon notice and opportunity to be heard, the division may
18 revoke and demand return of any placard when:

19 (1) it was issued in error or with false
20 information;

21 (2) the person receiving the placard is no
22 longer eligible; or

23 (3) the placard is being used by ineligible
24 persons.

25 [~~C. Upon written application to the division~~

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1 ~~accompanied by a medical statement by a licensed physician~~
2 ~~attesting to the permanent disability, a resident of the state~~
3 ~~who has a disability that limits or impairs the ability to~~
4 ~~walk, as provided in Subsection G of this section, may apply~~
5 ~~for and be granted the issuance of no more than]~~

6 D. A person who applies for disabled person parking
7 placards pursuant to Subsection A of this section shall be
8 issued two parking placards for display upon a motor vehicle
9 registered to [him] the person or motor vehicle owned by
10 another person who is transporting [him. ~~The physician shall~~
11 provide the division all information and records necessary to
12 issue a permanent parking placard] the person. Once approved
13 for use of a permanent parking placard, a person shall not be
14 required to furnish further medical information about [his] the
15 person's mobility impairment.

16 [~~D.~~] E. A parking placard issued pursuant to this
17 section shall expire on the same date the person's license or
18 identification card issued pursuant to Section 66-5-401 NMSA
19 1978 expires.

20 [~~E.~~] F. The division shall issue two-sided
21 hanger-style parking placards with the following
22 characteristics:

23 (1) the international symbol of access shall
24 be displayed on both sides of the placard and shall be at least
25 three inches in height, centered on the placard and white on a

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1 blue field;

2 (2) an identification number enabling the
3 division to identify the holder of each placard. The division
4 shall maintain this information in a readily retrievable
5 format, provide it to the governor's [~~committee on concerns of~~
6 ~~the handicapped~~] commission on disability and make it available
7 on demand to any law enforcement agency just as it provides
8 vehicle registration and driver's license information;

9 (3) the date of expiration; and

10 (4) the division seal or other identification
11 of the issuing authority.

12 [~~F.~~] G. Upon written application to the division
13 accompanied by a medical statement from a licensed physician
14 attesting to a temporary disability, a person who has a
15 temporary disability that limits or impairs the ability to walk
16 may be issued a temporary placard for no more than one year.
17 The physician shall provide the division all information and
18 records necessary to issue a temporary placard.

19 [~~G.~~] H. For the purpose of obtaining a placard, a
20 person with a "severe mobility impairment" means the person:

21 (1) cannot walk one hundred feet without
22 stopping to rest;

23 (2) cannot walk without the use of a brace, a
24 cane, a crutch, assistance from another person, a prosthetic
25 device, a wheelchair or another assistive device;

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